

**THE LABOR COMMISSION  
WORKERS' COMPENSATION ADVISORY COUNCIL**

**Wednesday, February 12, 2014 – 12:00 P.M.  
Room 1112, State Office Building  
Salt Lake City, Utah**

**The following Advisory Council members were in attendance:**

Dennis Lloyd, Workers Compensation Fund (for Ray Pickup)  
Brian Kelm, Esq.  
Edward Holmes, M.D., Summit View Medical  
Brandon Dew, Central Utah Federation of Labor  
K. Dawn Atkin, Esq., Atkin & Associates  
Tracey Klausmeier, Utah Dept of Insurance  
Dave Davis, President, Utah Food Industry Association  
Brandt Goble, Painters and Tapers Local 77  
Reo Castleton, President, SL Cnty Fire Dept Local 1696  
David Bird, Esq., Parsons Behle and Latimer  
Todd Bingham, President, Utah Manufacturers Association  
Sen. Mayne  
Jeff Rowley, Salt Lake County  
Rich Thorn

**The following Advisory Council members were excused:**

Rep. Dunnigan  
Kathleen Bissell, Liberty Mutual

**Others Present:**

Sherrie Hayashi, Commissioner  
Jaceson Maughan, Deputy Commissioner  
Ron Dressler, Director, Division of Industrial Accidents, Labor Commission  
Sara Danielson, Utah Labor Commission, Administrative Assistant  
Claire Mantanya  
Deborah Bowman  
Julie Clark, State Risk Management  
Richard Burke, Utah Assoc. Justice  
Sarah Nitta  
Stan Mead  
Rep. Edwards

**WELCOME**

**Welcome –Commissioner, Sherrie Hayashi** brought the meeting to order at 12:00 p.m.

**Legislative Matters:**

Commissioner Hayashi asked Jaceson Maughan to review the changes between the distributed copy of HB 94 dated 1-27-14 and the most current version as of today. Jaceson stated that there were two changes that provide clarity. The first change is at line 255 of the 1-27-14 version, and the second change is at line 262 of the 1-27-14 version. Rep. Edwards then reviewed this bill. She stated that the number of hours for coverage has been placed at 5+ hours. She also stated that this bill will only affect those persons receiving public assistance. She stated that Acumen as given a rate of 3.18% of total wages. Discussion was held regarding the Acumen policy. Concerns were raised about whether or not the policy was actually

a workers' compensation policy under Utah law. If the policy is not, it could create a much larger problem for the families than they currently have without coverage.

Dave Davis made a motion for the council to take a favorable position on this bill. Dawn Atkin seconded the motion. Voting was unanimous in the affirmative.

Jacson Maughan reviewed the status of the other bills that concern the Workers Compensation System.

HB 10 is through the House and has a favorable recommendation from the Senate Committee.

SB 127 is through the Senate

SB 44 has a favorable recommendation from the Senate Committee

SB160 is through the Senate and in the House.

Dave Davis requested some discussion on SB 44 - Discussion was held regarding validity of testing urine and blood. Dr. Holmes explained that Urine testing shows metabolized substances whereas blood shows current substances.

**Other Legislation:**

Sherrie stated that the Commission has building blocks in the budget for moving the Parowan office to St. George and for a programmer for the EDI project to move forward. She requested any assistance from council members to support these building blocks.

Dennis Lloyd mentioned that SB 106 regarding Safety Week designation is also at the Legislature.

Dawn Atkin moved to adjourn the meeting. Voting was unanimous in the affirmative. Meeting adjourned at 1:00 pm.